

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BRIAN HERNANDEZ, Personal
Representative for the Estate of SAUL
HERNANDEZ

Plaintiff,

v.

UNION PACIFIC RAILROAD
COMPANY,

Defendant.

) Case No. 8:18-cv-00062
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)

) **UNION PACIFIC'S MOTION IN LIMINE**
) **(DAUBERT) TO EXCLUDE**
) **DR. ROBERT P. GALE**
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COMES NOW Defendant Union Pacific Railroad Company ("Union Pacific") and moves in limine to exclude at trial Plaintiff from proffering the expert testimony of Dr. Robert P. Gale on medical causation and Plaintiff's alleged exposures because, as shown in the accompanying brief and evidence, all such opinions fail to meet the requirements of admissibility as set forth in Fed. R. Evid. 701, 702, 703, 705, and *Daubert v. Merrell Dow Pharms., Inc.*, 509 U.S. 579 (1993).

WHEREFORE, Union Pacific respectfully requests the Court to enter an order granting this motion and excluding the expert testimony at trial of Dr. Robert P. Gale on the issue of medical causation and Plaintiff's alleged exposures.

DATED this 3rd day of April, 2020.

UNION PACIFIC RAILROAD COMPANY,
Defendant,

By: /s/ Maria T. Lighthall
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CERTIFICATE OF SERVICE

I hereby certify that on April 3, 2020, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which sent notification of such filing to all counsel of record, and there are no participants to send the foregoing document to by United States Postal Service.

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/s/ Maria T. Lighthall

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